

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2820 of 2019**

- Dukhiram Sanwara S/o Gangadin Sanwara Aged About 60 Years R/o Shanti Nagar, Pali, P.S. Pali, District- Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ratanpur, Civil And Revenue District- Bilaspur, Chhattisgarh

----Non Applicant

For the Applicant : Shri Nitansh Kumar Jaiswal, Advocate

For Non Applicant : Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****09.05.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.320/2018 registered at Police Station- Ratanpur, District- Bilaspur (C.G.) for the offence punishable under Sections 354(B), 323, 456 of Indian Penal Code and Section 7 & 8 of the Protection of Children from Sexual Offences Act, 2012.
3. Case of the prosecution, in brief is that prosecutrix is about 10 years old. She is resident of village Beltara. On 02.09.2018, at about 7:30 Pm, applicant entered in her house, caught hold her, torned her clothes and pressed her neck, when her mother intervened, he also pressed neck of her mother.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant.
6. Looking to the above mentioned facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, the bail application is allowed, it is directed that if applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond of Rs.50,000/- to the satisfaction of the concerned trial Court with the condition that he will appear before the trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

Judge

Parul